IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 12TH DECEMBER 2007 / 21ST AGRAHAYANA 1929

WP(C).No. 36758 of 2007(S)

PETITIONER:

P.K.A.SIDDIQUE,
PERAYIL HOUSE,
CHERVADI P.O., (CHERUWADI),
KOZHIKODE.

BY ADV. SMT.T.V.NEEMA

RESPONDENTS:
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1. THE CHAIRMAN & MANAGING DIRECTOR,
AIR INDIA, AIR INDIA BUILDINGS,
NARIMAN POINT-218, BACKBAY RECLAMATION,
MUMBAI.

2. INDIAN AIRLINES,
AIR INDIA, AIR INDIA BUILDINGS,
NARIMAN POINT-218, BACKBAY RECLAMATION, MUMBAI,
REPRESENTED BY THE CHAIRMAN & MANAGING DIRECTOR.

3. UNION OF INDIA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
MINISTRY OF CIVIL AVIATION,
NEW DELHI.

R1 & R2 BY ADV.SRI.JOSEPH KODIANTHARA, STANDING COUNSEL FOR AIR INDIA
R3 BY SRI.GEORGE JOSEPH, CENTRAL GOVERNMENT STANDING COUNSEL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L.DATTU, C.J. & K.M.JOSEPH, J.

W.P.(C). No.36758 of 2007-S

Dated, this the 12th day of December, 2007

JUDGMENT

H.L.Dattu, C.J.

This is a Public Interest Litigation filed against the high rate of fluctuation in the price of air tickets charged by respondents 1 and 2 to gulf countries. For the very same class tickets different rates are charged for different seasons. It is stated it is unaffordable for the people employed in gulf to meet these huge air fares. It is stated in the petition that,

(i) fixing airfares at the whims and fancies of airliners is highly illegal, arbitrary and unjustifiable;

(ii). inaction of third respondent in not making rules or regulations for fixing airfares is illegal, unfair and abdication of duty;

(iii). the other means of transport like buses and trains follow certain rules and regulations regarding ticket charges. But in the case of airliners, the government is keeping silent in fixing fares; and

(iv). Indians working abroad have to run from pillar to post for confirmation of air tickets.

2. After going through the pleadings and after hearing the learned counsel for the petitioner, we do not see any public interest in this petition filed under Article 226 of the Constitution.

3. Accordingly, the writ petition is liable to be rejected and it is rejected without reference to the respondents.

(**H.L.DATTU)**
CHIEF JUSTICE

(K.M. JOSEPH),
JUDGE.

MS